

DRAFT
MINUTES
CITY OF LINCOLN
CITY COUNCIL, PUBLIC FINANCE AUTHORITY
and REDEVELOPMENT SUCCESSOR AGENCY
Regular Meeting
January 14, 2020

OPEN SESSION MEETING

City Hall - Third Floor Conference Room

INVOCATION led by Pastor Benjamin Schroeder, Foothill Bible Church.

1. CALL TO ORDER by Mayor Karleskint at 6:05PM.

- 2. ROLL CALL:** Councilmembers present:
- Holly Andreatta
 - Peter Gilbert
 - Paul Joiner
 - Alyssa Silhi
 - Mayor Dan Karleskint

Roll Call: 5 members present, 0 members absent.

Staff members present:

- Jennifer Hanson, City Manager
- Kristine Mollenkopf, City Attorney
- Ray Leftwich, Public Works Director/City Engineer
- Steve Prosser, Community Development Director
- Jim Bermudez, Planning Manager
- Robert Poetsch, Senior Planner
- Gwen Scanlon, City Clerk

Various City employees, consultants and members of the public were also present.

3. REPORT FROM CLOSED SESSION – Kristine Mollenkopf, City Attorney, stated Staff had received direction from City Council but no reportable action.

4. PLEDGE OF ALLEGIANCE led by Chuck Schmidt, Lincoln resident.

5. AGENDA REVIEW MODIFICATION – none.

6. PRESENTATIONS – none.

7. PUBLIC COMMENT ON NON-AGENDA ITEMS

a) Donna Hodgson, a Lincoln resident, requested refunds be issued to ratepayers who had been overcharged for water, sewer, trash and oak trees.

b) Ted Jones, a Placer County resident, echoed previous comments and requested refunds due to ratepayers for over two years.

c) Chuck Schmidt, a Lincoln resident, echoed previous comments and cautioned City Councilmembers to read San Clemente lawsuit.

d) Connie Scheiber, a Placer County resident, requested a status on tax sharing negotiations with Placer County and when new Police Dodge Charges would be seen on the roads.

e) Byron Chapman, a Lincoln resident, reminded everyone to use full year 2020 to avoid confusion with shortening to two-year date.

8. CONSENT

Mayor Karleskint stated he had a request to pull Items 8J from Councilmember Joiner and speaker cards from Donna Hodgson requesting Items 8F and 8K be pulled from the Consent Agenda for discussion. Councilmember Gilbert motioned approval of the consent agenda and the motion was seconded by Councilmember Silhi. ***By the following Vote (Approved): Gilbert– Aye, Silhi-Aye, Andreatta – Aye, Joiner – Aye and Karleskint – Aye the balance of the consent agenda. Those items approved were:***

8.A. **Approval of Minutes** of the December 3, 2019 Work Session and December 10, 2019 Regular City Council meetings.

8.B. **Receive and file Contract Report**, identifying contracts, task order and purchase orders executed by the City Manager and filed in the Office of the City Clerk by December 19, 2019.

8.C. **Receive and file Treasurer's Report** for the period ending October 31, 2019.

8.D. **Receive and File Budget to Actual Summary Report** by Fund through October 31, 2019.

8.E. **Receive and File City of Lincoln Annual Debt Report.**

8.G. Adopt **RESOLUTION 2020-01** accepting the Warrants of December 6, 13 and 20, 2019 to be placed on file with the City Clerk and available for audit.

8.H. Adopt **RESOLUTION 2020-02** accepting the Pothole Repair Project FY19/20 as complete and authorize the City Clerk to file the Notice of Completion with the Placer County Recorder. *Total cost of project is \$205,063 from Fund 221 – Gas Tax within CIP 458 of the Fiscal Year 2019/20 Capital Improvement Budget.*

8.I. Waive second reading and adopt **ORDINANCE 1002B** of the City of Lincoln amending Sections 13.04.220, 13.04.240, 13.04.242, 13.04.245, 13.04.250, and 13.04.257 to the Lincoln Municipal Code regarding shutoff of residential water service for nonpayment.

8.L. Adopt 3 resolutions for Twelve Bridges Village 10: **(1) RESOLUTION 2020-05** approving the Twelve Bridges Village 10 lot transfer from the unused Villages on the Twelve Bridges Small Lot Vesting Tentative Map, resulting in 308 lots within Twelve Bridges Village 10; **(2) RESOLUTION 2020-06** approving the annexation (Annexation No. 7) of property located in the Future Annexation Area of the City of Lincoln Community Facilities District No. 2018-1 (City Maintenance Services); and **(3) RESOLUTION 2020-07** approving the Twelve Bridges Village 10 Phase 1 Final Subdivision Map and authorizing the City Manager to execute the Subdivision Improvement Agreement for Twelve Bridges Village 10 Phase 1. *The CFD special tax will be levied annually to fund the maintenance of City infrastructure such as landscaping, parks, open space, street lighting, traffic signals, and stormwater quality and drainage facilities.*

ITEMS PULLED FROM THE CONSENT AGENDA:

8.F. **Redevelopment Successor Agency Annual Recognized Obligation Payment Schedule (ROPS).**

Jennifer Hanson, City Manager, gave a brief staff report. Mayor Karleskint opened the discussion to the public at 6:22PM with the following comments:

- a) Donna Hodgson, a Lincoln resident, stated she had pulled this item because the attachment

was not included in the staff report and specifically wanted to know the status of the water interfund loan. Gwen Scanlon, City Clerk, gave Ms. Hodgson a copy of the attachment which was very hard to read, made a part of these minutes by mention thereof. A brief discussion ensued and Jennifer Hanson, City Manager, offered to forward a better copy of the attachment, made a part of these minutes by mention thereof, and will follow up with Ms. Hodgson after the meeting.

b) Chuck Schmidt, a Lincoln resident, stated his concern that you cannot read the attachment.

c) Ted Jones, a Placer County resident, requested that the information to be provided also include a year over year report of status of water interfund loan.

d) Byron Chapman, a Lincoln resident, asked what happens if State does not forward any payments. A brief discussion ensued regarding redevelopment agencies and state obligations.

Mayor Karleskint closed the public discussion at 6:30PM and called for a motion. Councilmember Gilbert motioned approval of the resolution associated with this item and the motion was seconded by Councilmember Silhi. **By the following Vote (Approved):** Gilbert - Aye, Silhi – Aye, Andreatta – Aye, Joiner – Aye and Karleskint – Aye - **RESOLUTION 2020-01S** approving the annual Recognized Obligation Payment Schedule (ROPS) for the period of July 1, 2020 through June 30, 2021.

8.J. Lighting and Landscaping Special District Engineering Services.

Councilmember Joiner stated he pulled this item because it wasn't very clear what type of engineering services were included. A brief discussion ensued regarding the engineer's report required by state law for assessment districts. Mayor Karleskint opened the discussion to the public at 6:33PM with the following comments:

a) Ted Jones, a Placer County resident, stated his concerns with the accounting done by Francisco & Associates for the Lighting & Landscaping Original District and stated this issue was tied to the overcharges to ratepayers and again requested a refund. A brief discussion ensued regarding work done by Staff and Francisco & Associates to unravel the Lighting & Landscaping zones and Staff's hope to bring a staff report forward soon to address the refund question.

b) Byron Chapman, a Lincoln resident, asked for a firm date from Staff when the refund issue would be discussed. A brief discussion ensued regarding high priority items Staff is focused on.

c) Jessica Booth, a Lincoln resident, stated the public had heard repeatedly how short-staffed the City is and asked what the barrier is to becoming fully staffed.

d) Donna Hodgson, a Lincoln resident, read a brief statement into the record from a concerned resident that Oak Tree mitigation fees would be used for Francisco & Associates services. A brief discussion ensued regarding funding sources for this contract.

Mayor Karleskint closed the public discussion at 6:50PM and called for a motion. Councilmember Joiner motioned approval of the resolution associated with this item and the motion was seconded by Councilmember Gilbert. **By the following Vote (Approved):** Joiner – Aye, Gilbert - Aye, Andreatta – Aye, Silhi – Aye and Karleskint – Aye - **RESOLUTION 2020-03** authorizing the City Manager to execute a professional services contract with Francisco & Associates, Inc. for Special District Engineering Services for a total amount not to exceed \$485,389 (10% contingency included) for a three-year period (ending January 14, 2023), with the option to extend the contract for one additional

three-year term for an additional total amount not to exceed \$485,389 and authorizing the City Manager to approve amendments for additional services (and their respective amounts) identified under the additional services section of the cost table, subject to funding availability provided by the Developer or within the approved annual budget. *The Lighting and Landscaping Fund (270), Benefit Assessment District (BAD) Fund 277, and various Community Facilities District Funds (275, 276, 278, 285, 286) will each contribute their fair share allocation to cover the expenses required of this contract. Expenses incurred for each District can only be paid for by that District. The detail of each fund's revenue and expenses will be captured in the annual report. This staff report and contract is simply securing the funding for this work. These are all estimates and the total amounts may be less than projected. Whatever funding is not used will return to its funding source at the end of the contract.*

8.K. Lincoln Boulevard Phase 2 & 1A.

Mayor Karleskint stated he had received a request from Donna Hodgson to pull this item for discussion. Ms. Hodgson waived comment and no further comments received. Councilmember Gilbert motioned approval of the resolution associated with this item and the motion was seconded by Councilmember Joiner. ***By the following Vote (Approved): Gilbert - Aye, Joiner – Aye, Andreatta – Aye, Silhi – Aye and Karleskint – Aye -*** **RESOLUTION 2020-04: (1)** Amending the 2019/2020 Annual Budget to increase the approved budget for CIP 354 Lincoln Boulevard Phase 2 & 1A in the amount of \$17,168, to be paid for from the unused balance of Streets Fund 221; and **(2)** Authorizing the City Manager to execute Amendment No.3 to the Professional Services Agreement with 4 Leaf, Inc. for additional construction management and inspection services incurred due to the additional inspections and Caltrans project closeout forms required for the Lincoln Boulevard Phase 2 & 1A construction project. *The cost associated with the contract amendment will be \$17,168 from Fund 221; Unencumbered Fund 221 Balance prior to proposed budget amendment: \$915,735. Unencumbered Fund 221 Fund Balance after proposed budget amendment: \$898,567.*

9. PUBLIC HEARINGS

9.A. **Conduct Public Hearing 3** - a hearing to receive and consider input concerning transitioning to by-district elections. The City Council is also requested to receive a presentation from National Demographics, Inc. who will provide information and criteria for the future creation of by-district maps. (Mollenkopf)

Jeff Tilton, from National Demographics Corporation (NDC), the City's consultant, gave a brief staff report and powerpoint presentation. A City Council discussion ensued regarding: the NDC maps having separate districts for all Councilmembers; the conflict between the federal and state voting rights acts and gerrymandering; the criteria for maps (geographically contiguous, undivided communities of interest, easily identifiable boundaries and compact); splitting Sun City Lincoln Hills into two equal districts because of the percentage of registered voters far exceeds other possible districts; and lack of ability to determine the percentage needed for a special interest to sway a district. Councilmember Joiner stated his preference is map 104 and Councilmembers Gilbert and Silhi concurred. Councilmember Gilbert also expressed his preference for maps 108 and 109. Mayor Karleskint opened the public hearing at 7:27PM with the following comments:

a) Eric Kurland, a Lincoln resident, supports Auburn Ravine boundary for northern districts. Mr. Kurland requested in the southern districts that Sun City Lincoln Hills (SCLH) Active Adult Community be separated from the Twelve Bridges and Verdera communities as they did not have shared interests. Mr. Kurland stated a portion of SCLH could be included with the Twelve Bridges/ Verdera communities in order to leverage boundaries and maintain population balance such as map 109 in his

alternatives submitted the day before to Councilmembers be considered in final maps.

b) Donna Hodgson, a Lincoln resident, echoed Mr. Kurland's comments that there is no commonality between Verdera and SCLH and requested Twelve Bridges and Verdera be in a separate district.

c) Mike Garabedian requested a legal definition of communities of interest from Supreme Court Reynolds case. Kristine Mollenkopf, City Attorney, stated this had been discussed in previous City Council meetings but the term has a very broad definition from such things as school districts to homeowner associations to many other criteria.

Mayor Karleskint closed the public hearing at 7:32PM. Another City Council discussion ensued regarding: modifying maps by consolidating Twelve Bridges and Verdera into one district; modifications suggested by Eric Kurland; map boundaries such as Nicolaus Road, Del Webb Boulevard and Spring Valley Parkway; growth areas in the City that may impact the next district process in 2021. Council consensus was to move forward with maps 104, 108 and 109 as the focus maps along with any other draft map submittals received by the City by 5:00PM on January 16, 2020.

10. GENERAL BUSINESS

10.A. Waive full reading and introduce, by title only, **ORDINANCE 1003B** of the City of Lincoln amending Sections 13.04.160 and 13.04.360 to the Lincoln Municipal Code establishing source water connection charges.

Ray Leftwich, Public Works Director/City Engineer, stated the public hearing on this item was completed at the Dec. 10, 2019 meeting but City Council requested the item be continued to tonight's meeting to respond to three Council questions: do refunds need to be provided to ratepayers; the position of the State Joint Legislative Audit Committee (JLAC) on Staff's recommended alternatives; and impact to accessory dwelling units. A brief City Council discussion ensued regarding: clarified the JLAC stated the proposed action would meet their expectation of equitable consideration; setback requirements; accessory dwelling units may reduce overall water usage because of reduced landscaping; Development Agreements (DA's) dictating water connection charges and dangers of re-opening the DA's; poor records would make it difficult to calculate refunds; Grand Jury findings regarding City charging 2.5 equivalent dwelling units (EDU's) instead of 2.37 and the number and phases of refunds Staff is processing; the Phase 3 Pipeline project project and higher elevation service requiring additional water purchases at a cost of approximately \$5million; rate of development when DA's were executed and lack of City processes causing many of the issues related to this action.

Councilmember Joiner motioned waiver of full reading and introduction, by title only, of the ordinance associated with this item and the motion was seconded by Councilmember Silhi. ***By the following Vote (Approved): Joiner – Aye, Silhi – Aye, Gilbert - Aye, Karleskint – Aye - and Andreatta – No. -*** **ORDINANCE 1003B** of the City of Lincoln amending Sections 13.04.160 and 13.04.360 to the Lincoln Municipal Code establishing source water connection charges.

10.B. Adopt **RESOLUTION 2020-08** appointing Tony Lattuca as a Senior Airport Maintenance Worker in a retired annuitant capacity to serve in a supporting role for the Lincoln Regional Airport, effective January 15, 2020.

Ray Leftwich, Public Works Director/City Engineer, gave a brief staff report. A brief City Council discussion ensued regarding: need for more than one trained employee at the Airport; succession

planning; length of time to fully train a replacement and safety concerns; and annuitants being able to work multiple years as long as they do not exceed 960 hours per fiscal year. Mayor Karleskint opened and closed the public hearing with no comments at 8:20PM.

Councilmember Joiner motioned approval of the resolution associated with this item and the motion was seconded by Councilmember Gilbert. ***By the following Vote (Approved):*** Joiner – Aye, Gilbert - Aye, Andreatta – Aye, Silhi – Aye and Karleskint – Aye - **RESOLUTION 2020-08** appointing Tony Lattuca as a Senior Airport Maintenance Worker in a retired annuitant capacity to serve in a supporting role for the Lincoln Regional Airport, effective January 15, 2020.

11. COUNCIL INITIATED BUSINESS – none.

12. INFORMATION ITEMS – none.

13. ADJOURNMENT – Mayor Karleskint adjourned the meeting at 8:20PM.

Submitted by:

Gwen Scanlon, City Clerk